

**United States Environmental Protection Agency  
Criminal Investigation Division  
Investigative Activity Report**

**Case Number**

0500-0614

**Case Title:**

Village of Crestwood, IL

**Reporting Office:**

Chicago, IL, Area Office

**Subject of Report:**

Interview of (b) (6), (b) (7)(C) on April 21, 2009

**Activity Date:**

April 21, 2009

**Copies to:**

**Related Files:**

**Reporting Official and Date:**

(b) (6), (b) (7)(C) (b) (6), (b) (7)(C) SA  
26-APR-2009, Signed by: (b) (6), (b) (7)(C) SA

**Approving Official and Date:**

(b) (6), (b) (7)(C) , SAC  
27-APR-2009, Approved by: (b) (6), (b) (7)(C) , SAC

**SYNOPSIS**

04/22/2009 - On April 21, 2009, (b) (6), (b) (7)(C) was interviewed. (b) (6), (b) (7)(C) provided agents with details of (b) (6), (b) (7)(C) employment as a water operator for the Village of Crestwood. Beginning in approximately 1986, the village began to pump drinking water from a well that was only to be used for emergency purpose. The IEPA was unaware of the use of the well. In order to conceal the use of the well, monthly and annual reports were falsified, and then submitted to the EPA.

**DETAILS**

On April 21, 2009, (b) (6), (b) (7)(C) (b) (6), (b) (7)(C) (b) (6), (b) (7)(C) , (b) (6), (b) (7)(C) , Crestwood, Illinois, IL (b) (6), (b) (7)(C) , DOB (b) (6), (b) (7)(C) , SSN (b) (6), (b) (7)(C) , home telephone (b) (6), (b) (7)(C) cellular telephone (b) (6), (b) (7)(C) - (b) (6), (b) (7)(C) , was interviewed by this reporting agent (RA), Special Agent (b) (6), (b) (7)(C) and Special Agent (b) (6), (b) (7)(C) , of the U.S. Environmental Protection Agency Criminal Investigation. This interview was conducted at (b) (6), (b) (7)(C) residence.

Upon meeting (b) (6), (b) (7)(C) agents displayed EPA-CID credentials to them. RA advised (b) (6), (b) (7)(C) that agents wished to speak to (b) (6), (b) (7)(C) regarding (b) (6), (b) (7)(C) employment with the Village of Crestwood, IL, and specifically, issues relating to the drinking water that was being utilized within the village. RA further advised (b) (6), (b) (7)(C) that the interview was voluntary, and that there were potential criminal penalties for making false statements to a federal agent. RA advised (b) (6), (b) (7)(C) that (b) (6), (b) (7)(C) had the option of being honest, or asking agents to leave (b) (6), (b) (7)(C) home. (b) (6), (b) (7)(C) was advised that the information (b) (6), (b) (7)(C) provided would be kept confidential to the extent allowed by law. (b) (6), (b) (7)(C) indicated that (b) (6), (b) (7)(C) would be truthful, and agreed to continue with an interview.

In summary and not verbatim unless otherwise noted, (b) (6), (b) (7)(C) provided the following information:

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Prior to answering any of the agent's questions, (b) (6), (b) (7)(C) stated "what you're going to get out of me is what you already know." (b) (6), (b) (7)(C) felt that agents knew the answers to questions already, and that there was no need to ask (b) (6), (b) (7)(C) about Crestwood water.

(b) (6), (b) (7)(C) went on to say that Crestwood was using water from their well without the knowledge of the Illinois EPA. As the licensed operator for drinking water in the village, (b) (6), (b) (7)(C) was only doing as (b) (6), (b) (7)(C) was told.

(b) (6), (b) (7)(C) indicated that Crestwood began utilizing drinking water from Lake Michigan in approximately 1969. The water was purchased by Crestwood from the adjacent city of Alsip, IL. Prior to that, the village was utilizing water from their well. In approximately 1986, shortly after (b) (6), (b) (7)(C) began working in Crestwood, the idea came about to again begin utilizing their well, and mix that water with the lake water. The former Crestwood mayor, (b) (6), (b) (7)(C), believed that if the water was good for consumption before, it would still be ok to use. (b) (6), (b) (7)(C) supervisor at that time was (b) (6), (b) (7)(C), and then later was (b) (6), (b) (7)(C).

A discussion between (b) (6), (b) (7)(C), (b) (6), (b) (7)(C) and (b) (6), (b) (7)(C) resulted in the well being put back into use. (b) (6), (b) (7)(C) indicated that (b) (6), (b) (7)(C) told the men to use the well, and that (b) (6), (b) (7)(C) was the only person that could make such a decision.

(b) (6), (b) (7)(C) indicated that the reason that they began to utilize the well and mix it with lake water was for financial reasons. (b) (6), (b) (7)(C) indicated that everything that is done in the village is done for money. (b) (6), (b) (7)(C) indicated that the IEPA did not have sample results from around the time when they started to use the well again. The IEPA would conduct periodic inspections, but were not sampling regularly, as the village had told them that the well was only being used as an emergency backup. The IEPA sent "sample demand letters" requesting samples from the well. However, these were ignored because the Village believed that since IEPA had been told that the well was not being used the Village did not have to send the sample results. If the IEPA would have sent sample demand letters, the village would have been required to sample. The Village considered IEPA to have waived their ability to demand water sample because the IEPA had been told the well was for emergency back up purposes. But, since the IEPA believed that the well was not in use, the testing requirements were essentially waived.

(b) (6), (b) (7)(C) believes that when the well was used again in 1986, the water was "OK." According to (b) (6), (b) (7)(C) the dichloro ethylene was not high, and

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that vinyl chloride was not yet detected. (b) (6), (b) (7)(C) does believe that if contaminant levels had been high in 1986, the village would not have utilized the well. (b) (6), (b) (7)(C) again indicated that (b) (6), (b) (7)(C) is not aware of any samples being collected from the well in 1986.

(b) (6), (b) (7)(C) indicated that the well water, at the direction of the former mayor, was to be a ten percent blend. This meant that the Crestwood citizens would receive ten percent well water and ninety percent lake water. (b) (6), (b) (7)(C) stated that they actually only comingled approximately five percent well water at any given time, and that (b) (6), (b) (7)(C) closely monitored the pumps to ensure that mixture. (b) (6), (b) (7)(C) again indicated that (b) (6), (b) (7)(C) never gave the mayor the full ten percent blend of water. (b) (6), (b) (7)(C) felt that the water content became poor, and (b) (6), (b) (7)(C) would receive citizen complaints about the taste of water, along with rust rings in their toilets if the mixture had more well water in it. (b) (6), (b) (7)(C) also believed that since some levels of contaminants were nearing the MCL it would be unsafe to give the Mayor the full ten percent (b) (6), (b) (7)(C) asked for. (b) (6), (b) (7)(C) never told the Mayor that (b) (6), (b) (7)(C) was not pumping the 10% demanded.

(b) (6), (b) (7)(C) indicated that there was no question in (b) (6), (b) (7)(C) mind, or anyone else's minds, that the village should not have been utilizing the well without first reporting it's use to the IEPA. (b) (6), (b) (7)(C) indicated that water usage changed during different times of the year. In the winter, the village may use 1.2 million gallons per day, and in the summer, this amount could jump to 1.9 to 2 million gallons per day.

In approximately 1987, (b) (6), (b) (7)(C) left (b) (6), (b) (7)(C) job in Crestwood, and went to work for a recycling company. In 1994, (b) (6), (b) (7)(C) came back to work for Crestwood. When (b) (6), (b) (7)(C) first started back to work, (b) (6), (b) (7)(C) really did not have a direct supervisor. (b) (6), (b) (7)(C) was still working at the village, but was not (b) (6), (b) (7)(C) supervisor. Ultimately, (b) (6), (b) (7)(C) became (b) (6), (b) (7)(C) supervisor. (b) (6), (b) (7)(C) was the only licensed water operator working for Crestwood.

As the licensed operator, (b) (6), (b) (7)(C) was required to submit three reports to state officials regarding the village's water supply. Those reports included a monthly operating report, an LMO report, and a Consumer Confidence report. The monthly operating report documented the amount of water pumped into the village throughout the month, as well as chlorine residuals, water bacteria, and a variety of other information. (b) (6), (b) (7)(C) indicated that from 1994 until 2007, (b) (6), (b) (7)(C) never even saw a monthly report. (b) (6), (b) (7)(C) never personally filled out a monthly report. (b) (6), (b) (7)(C) would compile the data necessary for the monthly report onto a single sheet of paper

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and take it to the village hall. (b) (6) would give the paper to a lady that worked at the village hall, (b) (6), (b) (7)(b) (6), (b) (7)(C) would then utilize the data that (b) (6) supplied, and transpose it onto the monthly forms.

(b) (6), (b) (7) again stated that between 1997 and 2004, (b) (6) never even saw one of the completed monthly reports. When RA asked how it was that (b) (6), (b) (7)(C) signature appeared on the forms, (b) (6), (b) (7) indicated that (b) (6) had told (b) (6), (b) (7) to "go ahead and sign my name." (b) (6), (b) (7) indicated that (b) (6) never generated, or signed, even one monthly report over a nearly 13 year period. All reports during that time were generated, and then signed with (b) (6) name, by (b) (6), (b) (7)(C) (b) (6), (b) (7) does not even know the entire scope of what data is required to complete the form. Once (b) (6), (b) (7) provided (b) (6), (b) (7) with the data, (b) (6) never saw the sheets to verify that (b) (6) had transposed the data correctly. During this time, (b) (6), (b) (7) was also employed as a detective for the Crestwood Police Department and is still employed by the Village of Crestwood as the police chief. According to (b) (6), (b) (7) all of the completed monthly reports are kept at the village hall.

With respect to the LMO report, (b) (6), (b) (7) could not recall what the abbreviation stood for, but that it was an IEPA report documenting water loss in the city's distribution system. This form was utilized to determine if the water system was intact, and that there were no major leaks in the system. This report was generated by the city engineer, and was signed by the mayor. The report did not require (b) (6), (b) (7)(C) signature, and (b) (6) never even saw the reports.

The Consumer Confidence Report CCR is compiled annually, and sent out to Crestwood citizens, as well as the US EPA and the IEPA. This report contains information such as where the drinking water comes from, any violations notices that were issued relating to the drinking water, and any contaminants that may have been located in the water during the previous year. This report is typically mailed to residents in July, along with a village newsletter. These reports were also prepared by (b) (6), (b) (7)(C) and then mailed to residents and the IEPA. (b) (6), (b) (7) indicated that in every report between 1999 and 2007, the report indicated that the water was coming from the City of Chicago, or Lake Michigan. The report never indicated that the village was using as much as ten percent well water mixed in with the lake water. The contaminant data that was included in this report came from data for lake water, which was supplied by the City of Chicago. The IEPA gave them a go-by report, as they also believed that the water was coming from Lake Michigan. This report did

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not require (b) (6), (b) (7)(C) signature.

(b) (6), (b) (7)(C) indicated that CCR was not prepared prior to 1999, when it became law to do so. When the report was prepared, (b) (6), (b) (7)(C) was not the person that prepared it. However, (b) (6), (b) (7)(C) did see completed reports, along with the part that indicated where the drinking water was originating. (b) (6), (b) (7)(C) stated that (b) (6), (b) (7)(C) never raised objections to where the water was reported to have been coming from, and never asked that the add in a line on the report about the well in the presence of the mayor. (b) (6), (b) (7)(C) did raise such an objection with (b) (6), (b) (7)(C) who responded that "this is what we have to do." (b) (6), (b) (7)(C) believes that the only inaccurate portion of the CCR was the statement relating to the origin of the water. This portion was changed to give the IEPA the mistaken impression that all water was coming from Alsip. (b) (6), (b) (7)(C) believed everything else to be accurate. (b) (6), (b) (7)(C) later learned that the village was saving \$380,000 per year by utilizing the well.

(b) (6), (b) (7)(C) indicated that between 1994 and 2007, there were other samples taken of the water in the well. If the IEPA wanted the village to sample, they would send out a sample demand letter. During this time period, there was sampling conducted, and the analysis was completed by PDC, located in Peoria, IL. The samples were taken from the tap water, and then sent to PDC. (b) (6), (b) (7)(C) stated that they would depend on the lab to notify (b) (6), (b) (7)(C) if there were any contaminant exceedences in the water samples that were sent to the lab. They would get a telephone call from the lab, followed by a copy of the results being mailed to (b) (6), (b) (7)(C). (b) (6), (b) (7)(C) recalls that following an IEPA inspection in 2007, the vinyl chloride level in the well water was 4.7 parts per billion (ppb). The maximum allowable level for vinyl chloride is 2 ppb. A few years prior, there was a sample that came back at about 2.2 ppb.

When (b) (6), (b) (7)(C) received sample analysis results, (b) (6), (b) (7)(C) would study the results. Any constituent in the water that violated, or was in excess of the maximum contaminant level (mcl), would be flagged on the report. (b) (6), (b) (7)(C) recalls that some items would show a "<" the mcl, while others would show that they exceeded the mcl. In 2007, once they received the 4.7 ppb of vinyl chloride result, and the IEPA became aware, the well was no longer utilized for a water supply.

Since coming back to the village in 1994, (b) (6), (b) (7)(C) has had 4 supervisors. These supervisors hold the position of Village Services Director. The first, (b) (6), (b) (7)(C) LNU, was only (b) (6), (b) (7)(C) supervisor for two days, and then resigned.

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The second, (b) (6), LNU, only held the position for two to three weeks, and then resigned. Neither of these two men ever became aware of the use of the well for drinking water. The third supervisor was (b) (6), (b) (6), (b) (6) who held the position for four to five months. (b) (6), (b) (6) eventually learned that the pump was in use, after (b) (6), (b) (6) showed (b) (6) at the direction of (b) (6), (b) (7)(C). As (b) (6), (b) (6) did not know much about drinking water systems, (b) (6) did not know that the use of the well was a problem. (b) (6), (b) (7)(C) fourth supervisor, was (b) (6), (b) (6), (b) (7) (b) (6) became aware of the use of the well, again after (b) (6), (b) (6) showed (b) (6) it was in use. According to (b) (6), (b) (7) (b) (6), (b) (6) had no response and no questions upon learning that the well was in use. This was likely because (b) (6), (b) (6) was a former building inspector for the village, and really had no experience with drinking water supply.

(b) (6), (b) (6) stated that the was surprised that it took the IEPA so long to catch on to the fact that the village was using the pump and that the "EPA finally woke up." (b) (6) could not believe how long it took the IEPA to "put A and B together." (b) (6), (b) (6) acknowledged that the village was intentionally deceiving the IEPA, and giving them the impression that all of the water that was being used was coming from Alsip. (b) (6) also acknowledged that the monthly forms were bearing a falsified signature. Still (b) (6), (b) (6) believed that if the IEPA inspectors were doing their jobs properly, they would have uncovered this problem long ago. (b) (6), (b) (6) indicated that the IEPA conducted several inspections at the village throughout the years, and that they should have seen that the well was in use. (b) (6), (b) (6) believes that the inspectors should have had a gut feeling that the well was in use. (b) (6), (b) (6) argued that if they had just compared water use records with water purchase records from Alsip, this problem would have been uncovered long ago. (b) (6), (b) (6) asked "how long did it take EPA to match up the numbers?"

(b) (6), (b) (6) indicated that the IEPA inspector that finally uncovered the fact that the well was in use was (b) (6), (b) (6), (b) (6), (b) (6) indicated that after feeling something was not right, (b) (6), (b) (6) did pull records from Alsip regarding purchases of water by Alsip, and compared them to village pumping records. (b) (6), (b) (6) then asked (b) (6), (b) (6) how it was that Crestwood had pumped more water than they had purchased from Alsip. (b) (6), (b) (6) indicated that (b) (6) responded to that question by shrugging (b) (6), (b) (6) shoulders to indicate that (b) (6) did not know. (b) (6), (b) (6) indicated that (b) (6), (b) (6) was a little more tenacious, which is why (b) (6), (b) (6) uncovered the use of the well. Once the testing was conducted that revealed a vinyl chloride level of 4.7 ppb, it was (b) (6), (b) (6) orders that stopped the use of the well.

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RA asked (b) (6), (b) (7)(C) if (b) (6), (b) (7)(C) ever felt that the use of the well should have been ceased prior to IEPA's order in 2007. (b) (6), (b) (7)(C) indicated that (b) (6), (b) (7)(C) questioned the use of the well to (b) (6), (b) (7)(C) many times prior to 2007, but never took any actions to totally stop its use. (b) (6), (b) (7)(C) reiterated that (b) (6), (b) (7)(C) never utilized the full ten percent well water, as (b) (6), (b) (7)(C) had been instructed to do by (b) (6), (b) (7)(C). (b) (6), (b) (7)(C) indicated that if (b) (6), (b) (7)(C) felt that the well water ratio was much higher than five percent, (b) (6), (b) (7)(C) would shut down the well. "My family drinks it too," stated (b) (6), (b) (7)(C). (b) (6), (b) (7)(C) indicated that (b) (6), (b) (7)(C) would get complaints about water hardness and rusty water if too much well water was used. RA asked if (b) (6), (b) (7)(C) utilized less than ten percent well water because (b) (6), (b) (7)(C) was concerned that the well was contaminated. (b) (6), (b) (7)(C) indicated that (b) (6), (b) (7)(C) was not concerned about contamination.

RA showed (b) (6), (b) (7)(C) a photo copy of what appears to be pages from a ledger. The columns in the ledger are titled "Year, Month, Crestwood Pumps, Gallons Billed by Alsip, and Gallons Billed to Crestwood Residents. (b) (6), (b) (7)(C) immediately stated that (b) (6), (b) (7)(C) had never seen the pages, and that (b) (6), (b) (7)(C) was not the person that had made the hand written entries onto the pages. (b) (6), (b) (7)(C) indicated that the handwriting appeared to be (b) (6), (b) (7)(C) writing, as (b) (6), (b) (7)(C) writing had a "backwards slant" to it. (b) (6), (b) (7)(C) again indicated that (b) (6), (b) (7)(C) had never seen the ledger, and that it was not kept at (b) (6), (b) (7)(C) office. (b) (6), (b) (7)(C) agreed that this ledger showed the discrepancy between the water purchased from Alsip, and that this would show the amount of water pumped from the well.

RA asked (b) (6), (b) (7)(C) why (b) (6), (b) (7)(C) never alerted the IEPA about the use of the well during any of the inspections at the village. (b) (6), (b) (7)(C) stated that when an inspection would occur, (b) (6), (b) (7)(C) always had someone of higher authority from the village with (b) (6), (b) (7)(C). During the 1993 and 1999 inspections, (b) (6), (b) (7)(C) was standing right behind (b) (6), (b) (7)(C) throughout the inspection. Then, in 2007, (b) (6), (b) (7)(C) was with (b) (6), (b) (7)(C) during the inspection. (b) (6), (b) (7)(C) never felt like (b) (6), (b) (7)(C) could tell the inspectors what was occurring, as (b) (6), (b) (7)(C) supervisors were always there. When asked if (b) (6), (b) (7)(C) was ever told by (b) (6), (b) (7)(C) supervisors not to alert the IEPA about the use of the well, (b) (6), (b) (7)(C) indicated that (b) (6), (b) (7)(C) was. (b) (6), (b) (7)(C) indicated that (b) (6), (b) (7)(C) told (b) (6), (b) (7)(C) more than once not to tell inspectors, and that (b) (6), (b) (7)(C) may have told (b) (6), (b) (7)(C) too. (b) (6), (b) (7)(C) indicated that (b) (6), (b) (7)(C) would have fired (b) (6), (b) (7)(C) if (b) (6), (b) (7)(C) had told inspectors about the use of the well.

(b) (6), (b) (7)(C) indicated that (b) (6), (b) (7)(C), (b) (6), (b) (7)(C), (b) (6), (b) (7)(C) and (b) (6), (b) (7)(C) all knew about the use of the well, and that fact that they should not have been

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using the well. All of the aforementioned people also knew that the IEPA was being deceived about the use of the well. Had the IEPA known about the well use, they would have issued additional sample demand letters, requiring the village to sample the well on at least a quarterly basis. It also would have resulted in more inspections occurring at the village.

(b) (6), (b) (7)(C) again recounted that in a 2004 sample, the vinyl chloride reading was at 2.2 ppb, which is just above the mcl. In a 2007 sample, the vinyl chloride reading was 4.7 ppb. Both of the samples were taken right at the well, and not from a tap. (b) (6), (b) (7)(C) acknowledged that had the IEPA known of the well use, there would have been at least 12 additional tests conducted of the well during the 2004 through 2007 timeframe. These tests would likely have shown the levels of vinyl chloride rising through the years.

(b) (6), (b) (7)(C) indicated that, with respect to the recent media reports about the use of the well, village officials received a "heads up" that the Chicago Tribune was about to run with the story. After the story broke, a channel 7 news crew came to (b) (6), (b) (7)(C) home, but (b) (6), (b) (7)(C) did not speak with them. Since the story came out, the village is just trying to diffuse the situation, deal with the violation notices issued by the IEPA, and come into compliance. (b) (6), (b) (7)(C) indicated that the only thing that (b) (6), (b) (7)(C) has been instructed to say if contacted about the story was "no comment." (b) (6), (b) (7)(C) has not been instructed to turn over any of (b) (6), (b) (7)(C) records to village hall, or to dispose of or shred any records relating to the use of the well. (b) (6), (b) (7)(C) indicated that all of the files relating to drinking water are kept either at village hall, (b) (6), (b) (7)(C) office, or in some instances, both places. (b) (6), (b) (7)(C) indicated that (b) (6), (b) (7)(C) is not aware of any records being kept at the emergency operations center. Rather, (b) (6), (b) (7)(C) believes that the records are either at (b) (6), (b) (7)(C) office, or in the file room at village hall. (b) (6), (b) (7)(C) believes that the only water data kept on computers is for billing purposes, as the monthly reports are completed manually.

(b) (6), (b) (7)(C) believes that (b) (6), (b) (7)(C) is a confidant of the former mayor, and is not sure if (b) (6), (b) (7)(C) would be willing to speak with investigators. (b) (6), (b) (7)(C) is still employed as a consultant to the village, and (b) (6), (b) (7)(C) does not believe that (b) (6), (b) (7)(C) would speak with investigators. (b) (6), (b) (7)(C) who has been the police chief for approximately five months, would not speak with investigators.

(b) (6), (b) (7)(C) indicated that (b) (6), (b) (7)(C) "knew this was coming", meaning that (b) (6), (b) (7)(C) knew investigators would likely come to talk with (b) (6), (b) (7)(C). (b) (6), (b) (7)(C) stated that (b) (6), (b) (7)(C) had contacted an attorney, but only for assistance relating to potential

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"whistleblower" protection relating to (b) (6), (b) (7)(C) employment. (b) (6), (b) (7)(C) stated "I'm the operator, not the owner."

(b) (6), (b) (7)(C) indicated that (b) (6), (b) (7)(C) makes approximately \$64,000 per year, and has never received any bonuses relating to (b) (6), (b) (7)(C) continued use of the well. Any money saved by the village went directly into the village coffers. (b) (6), (b) (7)(C) has a high school education, and has completed a few college courses.

At the end of the interview, (b) (6), (b) (7)(C) signed the bottom of the notes being taken by SA (b) (6), (b) (7)(C) and also printed (b) (6), (b) (7)(C) name and the date. SA (b) (6), (b) (7)(C) asked (b) (6), (b) (7)(C) if (b) (6), (b) (7)(C) had been treated with courtesy and respect, to which, (b) (6), (b) (7)(C) responded "right." SA (b) (6), (b) (7)(C) again advised (b) (6), (b) (7)(C) of the penalties for making false statements and obstruction of justice, and asked (b) (6), (b) (7)(C) if everything that (b) (6), (b) (7)(C) had told agents was truthful, accurate and complete. (b) (6), (b) (7)(C) responded "yes."

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